

**PUBLIC HEALTH DEPARTMENT[641]****Adopted and Filed**

Pursuant to the authority of 1996 Iowa Acts, chapter 1212, section 5, the Department of Public Health hereby amends Chapter 177, “Health Data,” Iowa Administrative Code.

The rules in Chapter 177 describe the Department’s ability to collect and provide access to health information, including inpatient, outpatient and ambulatory data. These amendments allow patient names to be collected, which will enable Department programs to implement the Brain and Spinal Cord Injury Registry outlined in Chapter 21. These amendments will also greatly improve the epidemiological value of the data to more reliably link vital records, Medicaid and other databases with the inpatient and outpatient databases to assess patient care and outcomes. Personal identifiers and demographic information (e.g., patient ZIP code, age, sex) are already part of the inpatient and outpatient data sets of the Department. These amendments will allow unique identifiers to be created for patients. These unique identifiers will protect personal identity but still allow important research and surveillance to be completed across health care settings, including the study of readmission patterns, cost of care, emergency care, and patient transfers between health care settings. The Department ensures strict data confidentiality standards for all Department data. Confidentiality of patient identity will continue to be ensured through the use of secure computer software and hardware, the limiting of access to files with patient identifiers, staff training, and signed confidentiality agreements for those who wish to access data. In addition, these amendments update the implementation sentence of Chapter 177 and rescind the definitions of “contractor” and “payor.”

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 2458C** on March 16, 2016. A public hearing was held on April 5, 2016. No public comments were received. These amendments are identical to those published under Notice of Intended Action.

The Department adopted these amendments on July 13, 2016.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement 1996 Iowa Acts, chapter 1212, section 5, and Iowa Code section 135.166.

These amendments will become effective September 7, 2016.

The following amendments are adopted.

ITEM 1. Rescind the definitions of “Contractor” and “Payor” in rule **641—177.2(76GA,ch1212)**.

ITEM 2. Adopt the following new subrule 177.3(3):

**177.3(3)** The Iowa Hospital Association shall collect, maintain, and disseminate hospital inpatient, outpatient, and ambulatory information pursuant to a memorandum of understanding with the department. The Iowa Hospital Association shall submit data to the department pursuant to the memorandum of understanding.

ITEM 3. Amend rule 641—177.4(76GA,ch1212) as follows:

**641—177.4(76GA,ch1212) Department studies.** The department ~~shall~~ may conduct special studies consistent with the intent of 1996 Iowa Acts, chapter 1212, using data collected in accordance with subrule 177.3(1). In conducting such studies, the department may utilize the services of a contractor.

ITEM 4. Amend rule 641—177.6(76GA,ch1212) as follows:

**641—177.6(76GA,ch1212) Patient confidentiality.** The department shall protect patient confidentiality. Confidential records or parts of such records collected as a part of this process shall be kept confidential. ~~Individual patient names shall not be collected to protect patient confidentiality.~~ All health data shall be collected, maintained, and disseminated only in accordance with Iowa and federal law.

ITEM 5. Rescind and reserve rule **641—177.7(76GA,ch1212)**.

ITEM 6. Amend rule 641—177.8(76GA,ch1212) as follows:

**641—177.8(76GA,ch1212) Address and specification for data submissions.** Data required to be submitted pursuant to this chapter shall be sent by agencies and health care providers, or their representatives, to the Iowa Department of Public Health, ~~Center for Health Statistics, Lucas State Office Building, East 12th and Grand Avenue, Des Moines, Iowa 50319~~ by the means and time frame specified by the department.

~~Data required to be submitted pursuant to this rule shall be sent in the form designated by the department within 30 days following the six-month calendar periods ending in June and December.~~

ITEM 7. Amend **641—Chapter 177**, implementation sentence, as follows:

These rules are intended to implement 1996 Iowa Acts, chapter 1212, section 5, and Iowa Code section 135.166.

[Filed 7/14/16, effective 9/7/16]

[Published 8/3/16]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 8/3/16.